

REMARKS

The foregoing proposed amendments to the claims are submitted in response to the current Final Office action replacing the previous Final Office action dated Aug. 22, 2002. The finality of such earlier Final Office action is withdrawn pursuant to Applicant's request, as stated in paragraph (2) on page 2 of the current Final Office action.

Claims 2, 7, 9, 12, 13, 14 and 16, to the exclusion of claims 5 and 11, are now finally rejected only under 35 U.S.C. 112, second paragraph, as being dependent on cancelled claims 1, 3, 4, 10 and 15. Accordingly, the only stated basis for such final rejection under 35 U.S.C. 112, as stated on page 2 of the Office action, is that there is no antecedent basis for the limitations set forth in dependent claims 2, 9, 12, 13 and 16, from which claims 7 and 14 are dependent. Only claims 5 and 11 are finally rejected on the merits under 35 U.S.C. 103(a) over the Ishikawa et al. and Licht patents of record, as set forth on pages 2-8 of the current Final Office action.

Therefore, in order to place the application in condition for allowance the present amendment proposes cancellation of claims 5 and 11 as the only claims under final rejection on the merits under 35 U.S.C. 103(a), while claims 2, 9, 12, 13 and 16 are to be written in independent form in order to restore the antecedent basis of record for all recitations therein.

In view of the foregoing, entry of the amendments now proposed is expected in order to place the application in condition for allowance based on claims 2, 7, 9, 12, 13, 14 and 16.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jacob Shuster", with a long horizontal flourish extending to the right.

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MARKED-UP VERSION OF AMENDMENTS

TO THE CLAIMS

Rewrite claims 2, 9, 12, 13 and 16 as follows:

2. (Amended) A process of forming a composite structure by applying a barrier to an underlying substrate during fabrication, including the steps of: introducing a fire resisting agent to the barrier after formation thereof; and attaching the barrier to the substrate before completing the fabrication of the composite structure; [The process as defined in claim 1, wherein] said step of introducing the fire resisting agent [comprises] comprising: in-situ infusion of the agent into the barrier during said fabrication of the composite structure.
9. (Amended) A process of forming a composite structure by applying a barrier to an underlying substrate during fabrication, including the steps of: introducing a fire resisting agent to the barrier after formation thereof; and attaching the barrier to the substrate before completing the fabrication of the composite structure; [The process as defined in claim 1, wherein] the barrier [is] being an intumescent mat and the fire resisting agent [is] being a phenolic resin.
12. (Amended) A process of forming a composite structure by applying a barrier to an underlying substrate during fabrication, including the steps of: introducing a fire resisting agent to the barrier after formation thereof; and attaching the barrier to the substrate before completing the fabrication of the composite structure; [The process as defined in claim 1, wherein] said attaching of the barrier being [is] performed by bonding thereof to the substrate by application of an adhesive between the barrier and the substrate.

13. (Amended) A process of forming a composite structure by applying a barrier to an underlying substrate during fabrication, including the steps of: introducing a fire resisting agent to the barrier after formation thereof; and attaching the barrier to the substrate before completing the fabrication of the composite structure; [The process as defined in claim 1, wherein] said attaching of the barrier [is] being effected in response to said introducing of the fire resisting agent by infusion into the barrier during formation of the substrate.

16. (Amended) A process for protective fabrication of a composite structure by applying a barrier layer after formation thereof to an underlying substrate, the improvement residing in the steps of: introducing a fire resisting agent by in-situ infusion into the barrier layer after said formation thereof; and attaching the barrier layer with the fire resisting agent infused therein to the substrate before completing said fabrication of the composite structure; [The process as defined in claim 15, wherein] said step of attaching the barrier layer to the substrate [is] being effected without use of adhesive by formation of the substrate during said in-situ infusion of the fire resisting agent into the barrier layer.

Cancel claims 5 and 11 without prejudice.